HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5885 OF 2004.
IN
CRIMINAL REV. APPLICATION NO. 485 OF 2004.

Nandkishor Krishnaji Jagdale ..Applicant.

VERSUS.

Sou. Surekha N. Jagdale & Ors. ..Respondents.

Mr. Ramesh Bhalerao for the applicants.

CORAM: S.B.MHASE &
D.B.BHOSALE, JJ.

DATE: FEBRUARY 28, 2005.

P.C.

1. Heard. This is delay condonation application to condone the delay in filing the criminal revision application. The delay is of about 2 years. We have perused the application. There are no sufficient grounds for condonation of delay. We have also gone through the judgment under challenge. We have found that the maintenance amount has been fixed properly. The learned counsel for the applicant submits that the Revision Petitioner has lost the job, therefore, he is not in a position to make payment. However, that cannot be a ground to admit the petition. The appropriate remedy under the Criminal Procedure Code is available to the Revision Petitioner in case of change in circumstances. Therefore,

we are not inclined to admit the matter and condone the delay. In the circumstances, application for condonation of delay is rejected.

(D.B.BHOSALE,J.) **(S.B.MHASE, J.)**

:srp/2005/